

**COMMONWEALTH OF KENTUCKY
ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
FILE NO. AOF-25640-037
PERMIT NO. 892-0096
NONCOMPLIANCE NO. 130212**

FRONTIER INSURANCE COMPANY, IN REHABILITATION
AND UNDER THE DIRECTION OF THE SUPERINTENDENT
OF INSURANCE OF THE STATE OF NEW YORK,

PETITIONER,

VS.

SECRETARY'S ORDER

ENVIRONMENTAL AND PUBLIC PROTECTION CABINET,

RESPONDENT.

* * * * *

THIS MATTER being before the Secretary upon the Report and Recommended Order of Janet C. Thompson, Hearing Officer, and the Secretary having considered said Report and Recommendation, and any exceptions filed thereto, and being sufficiently advised,

IT IS HEREBY ORDERED AND ADJUDGED as follows:

1. The Hearing Officer's Report and Recommended Order filed in the Record on [3/14/05], 2005, is ADOPTED and incorporated by reference herein, as if set forth verbatim.
2. The Petitioner's Withdrawal of Petition for Hearing is GRANTED, and this case is hereby DISMISSED.
3. The Determinations of Bond Forfeiture dated August 30, 2002, regarding bond numbers 115192, 115193, and 115264 for Permit No. 892-0096, are AFFIRMED and these bonds be hereby FORFEITED.

4. This is a FINAL and APPEALABLE Order.

So ORDERED this _____ day of _____, 2005.

ENVIRONMENTAL AND PUBLIC
PROTECTION CABINET

_____/s//[4/29/05]_____
LAJUANA S. WILCHER
SECRETARY

APPEAL RIGHTS

In accordance with the provisions of KRS 350.0305 and KRS 350.032, any person or party aggrieved by a Final Order of the Secretary resulting from a hearing may obtain a review of the Final Order by filing in Circuit Court a Petition for Review. Such Petition must be filed within thirty (30) days after the entry or rendition of the Final Order, and a copy of the Petition must be served upon the Cabinet.

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing SECRETARY'S ORDER was, on this ____ day of _____, 200__, mailed by first-class mail, postage prepaid to:

HON WILLIAM T GORTON III
HON W BLAINE EARLY III
STITES & HARBISON PLLC
250 WEST MAIN ST STE 2300
LEXINGTON KY 40507

FRONTIER INSURANCE COMPANY
195 LAKE LOUISE MARIE RD
ROCK HILL NY 12775

and hand-delivered to:

HON. LAURA MORRISON
HON. PETER IRWIN
Environmental and Public Protection Cabinet
Office of Legal Services
Fifth Floor, Capital Plaza Tower
Frankfort, KY 40601

DOCKET COORDINATOR

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**COMMONWEALTH OF KENTUCKY
ENVIRONMENTAL AND PUBLIC PROTECTION CABINET
FILE NO. AOF-25640-037
PERMIT NO. 892-0096
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FRONTIER INSURANCE COMPANY, IN REHABILITATION
AND UNDER THE DIRECTION OF THE SUPERINTENDENT
OF INSURANCE OF THE STATE OF NEW YORK,

PETITIONER,

VS.

HEARING OFFICER'S REPORT
AND RECOMMENDED SECRETARY'S ORDER

ENVIRONMENTAL AND PUBLIC PROTECTION CABINET,

RESPONDENT.

* * * * *

Having considered Petitioner's, Frontier Insurance Company, in Rehabilitation and Under the Direction of the Superintendent of Insurance of the State of New York (Frontier), Withdrawal of Petition for Hearing, to which there was no objection by the Cabinet, it is RECOMMENDED that the Petition be withdrawn and this case be dismissed.

At a status conference on March 4, 2005, the Cabinet withdrew its Motion for Summary Disposition filed on February 28, 2005.

As a result of the withdrawal of the Petition, it is RECOMMENDED that the Determinations of Bond Forfeiture dated August 30, 2002, regarding bond numbers 115192, 115193, and 115264 that Frontier issued on behalf of Centennial Resources, Inc. for Permit No. 892-0096, which were the subject of the Petition, be affirmed and these bonds be ordered forfeited.

So RECOMMENDED this the _____ day of _____, 2005.

_____/s/[3/14/05]_____
JANET C. THOMPSON
HEARING OFFICER
OFFICE OF ADMINISTRATIVE HEARINGS
35-36 FOUNTAIN PLACE
FRANKFORT, KY 40601
TELEPHONE: 502/564-7312
FAX: 502/564-4973

EXCEPTION RIGHTS

Pursuant to KRS 350.0301 any party may file exceptions to this Report and Recommendation within fourteen (14) days of service of this Report. A party may file a Response to any Exceptions within twenty-one (21) days of service of this Report. The Secretary will then consider this Report, any Exceptions, any Responses and the recommended Order and decide this case.

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing HEARING OFFICER'S REPORT AND RECOMMENDED SECRETARY'S ORDER was, on this ____ day of _____, 200__, mailed by first-class mail, postage prepaid to:

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HON W BLAINE EARLY III
STITES & HARBISON PLLC
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LEXINGTON KY 40507

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